

Sentinel Dec 19, 1979

Soquel Cinema Must Stop Showing Adult Movies

~~Theater~~
By PEGGY R. TOWNSEND

Sentinel Staff Writer

The county's only adult movie theater has been told to stop showing adult films within six months following an order by a Superior Court judge today.

Judge Donald May signed a four-page decision this morning which requires the Soquel Cinema to stop operating as an adult movie theater by June 5, 1980.

He also upheld a decision by the county Board of Supervisors that the theater violates a zoning ordinance which prohibits an adult movie theater from being located within 500 feet of a

school. The theater is adjacent to Soquel High School.

The attorney who represents the theater's operators said he plans to appeal the case and considers the decision "unconstitutional."

The county went to court early this month in an attempt to close the adult movie theater.

Deputy County Counsel Dwight Herr argued that the Soquel Cinema violated a county zoning ordinance which prohibited adult movie theaters

from being located within 500 feet of a school.

Herr also argued that the theater is a public nuisance because students regularly pass by the

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theater which displayed "sexually-explicit" posters and marquee slogans.

Today, May said that a U.S. Supreme Court decision allows municipalities to control the location of adult movie theaters and said the 500-foot limit for nearby schools was "reasonable."

He also ruled proper the county Board of Supervisors' decision to declare the theater a "non-conforming use" and order its closure within one year.

Since the board made that decision on June 5, 1979, May ruled the theater has until June 5, 1980, to close its adult theater operation.

When asked if the adult theater operators would appeal, Attorney Joseph Rhine said, "Absolutely. It's a totally unconstitutional decision."

He said the appeal would be filed within the 60-day time limit and expected the court to delay the closing day until it heard the appeal.

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